

STEVEN W. MYHRE  
Acting United States Attorney  
District of Nevada  
PHILLIP N. SMITH, JR.  
Assistant United States Attorney  
Nevada State Bar No. 10233  
501 Las Vegas Boulevard South  
Suite 1100  
Las Vegas, Nevada 89101  
702-388-6336  
[phillip.smith@usdoj.gov](mailto:phillip.smith@usdoj.gov)

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	<b>2:17-cr-199-RFB</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
MARVIN ROBINSON,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION FOR EXTENSION OF TIME**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Paul D. Riddle, Assistant Federal Public Defender, counsel for Defendant MARVIN ROBINSON, that the date for the Government to file a response to the Defendant's Motion to Suppress Evidence (docket #27) be extended for one week.

This stipulation is entered for the following reasons:

1           1.       The Defendant's Motion was filed and served on November 8, 2017. *See* Docket  
2 #27. The Government previously filed a motion continuing its response deadline until January 3,  
3 2018, which this Court granted. *See* Docket ##30 and 31.

4           2.       Since the granting of the Government's motion, the parties have reached, in  
5 principle, a negotiation that will obviate the need for any further pre-trial litigation. The parties  
6 need additional time to reduce said negotiation to writing in the form of a proposed plea  
7 agreement, and time for counsel for the Defendant to present the Government's proposed plea  
8 agreement to the Defendant.

9           3.       The Defendant is incarcerated, but he does not object to the continuance of the  
10 Government's response deadline.

11           4.       The additional time requested herein is not sought for purposes of delay, but  
12 merely to allow the parties an opportunity to resolve the case, which will obviate the need for  
13 this Court to consider the Defendant's Motion.

14           5.       Additionally, denial of this request for continuance could result in a miscarriage  
15 of justice.

16           6.       This is the third stipulation filed herein to continue the Government's response  
17 deadline.

18           DATED: January 3, 2018.

19  
20           \_\_\_\_\_  
21           /s/  
22           PHILLIP N. SMITH, JR.  
23           Assistant United States Attorney  
24           Counsel for the United States

20           \_\_\_\_\_  
21           /s/  
22           PAUL D. RIDDLE  
23           Assistant Federal Public Defender  
24           Counsel for Defendant MARVIN ROBINSON

1  
2  
3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 UNITED STATES OF AMERICA, ) **2:17-cr-199-RFB**  
7 )  
8 Plaintiff, )  
9 v. )  
10 MARVIN ROBINSON, )  
11 Defendant. )  
12 \_\_\_\_\_)

13 **FINDINGS OF FACT**

14 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
15 Court finds that:

16 1. The Defendant's Motion was filed and served on November 8, 2017. *See* Docket  
17 #27. The Government previously filed a motion continuing its response deadline until January 3,  
18 2018, which this Court granted. *See* Docket ##30 and 31.

19 2. Since the granting of the Government's motion, the parties have reached, in  
20 principle, a negotiation that will obviate the need for any further pre-trial litigation. The parties  
21 need additional time to reduce said negotiation to writing in the form of a propose dplea  
22 agreement and time for counsel for the Defendant to present the Government's proposed plea  
23 offer to the Defendant.

24 3. The Defendant is incarcerated, but he does not object to the continuance of the  
25 Government's response deadline.

26 4. The additional time requested herein is not sought for purposes of delay, but  
27 merely to allow the parties an opportunity to resolve the case, which will obviate the need for  
28 this Court to consider the Defendant's Motion.

1           5.       Additionally, denial of this request for continuance could result in a miscarriage  
2 of justice.

3           6.       This is the third stipulation filed herein to continue the Government's response  
4 deadline.

5           For all of the above-stated reasons, the ends of justice would best be served by a  
6 continuance of the Government's response deadline.

7                               **CONCLUSIONS OF LAW**

8           The additional time requested herein is not sought for purposes of delay, but merely to  
9 allow the parties an opportunity to resolve the case, which will obviate the need for this Court to  
10 consider the Defendant's Motion. The failure to grant said continuance would likely result in a  
11 miscarriage of justice.

12                               **ORDER**

13           IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the  
14 Government to respond to the Defendant's Motion to Suppress is extended until  
15 January 12, 2018.

16  
17 Dated: January 3, 2018



\_\_\_\_\_  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE